

AMENDED IN SENATE JUNE 11, 2008
AMENDED IN ASSEMBLY MAY 6, 2008
AMENDED IN ASSEMBLY APRIL 10, 2008
AMENDED IN ASSEMBLY APRIL 2, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2904

Introduced by Assembly Member Hayashi

February 22, 2008

An act to add Section 16502.5 to the Welfare and Institutions Code, relating to county child welfare services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2904, as amended, Hayashi. County child welfare services: mortality review.

Existing law requires counties to establish and maintain specialized entities within the county welfare department to provide child welfare services.

This bill would allow a county board of supervisors to receive and review certain information relating to the death of a child who had previously come to the attention of, or was under the supervision of, the county child welfare agency, ~~if specified conditions relating to abuse and neglect are met as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) In order to execute their responsibilities in overseeing the
4 administration of the child welfare services and foster care
5 programs, county boards of supervisors *and their members* have
6 a compelling interest in accessing case information when a child,
7 who has previously come to the attention of, or was in the
8 protective custody of, the county child welfare ~~agency, dies due~~
9 ~~to neglect or abuse. agency dies.~~

10 (b) It is the intent of the Legislature to clarify that boards of
11 supervisors may access otherwise confidential case information
12 ~~when a child who is in the custody of child welfare services or the~~
13 ~~foster care system in their county dies due to neglect or abuse.~~
14 *when a child who has previously come to the attention of, or was*
15 *in the protective custody of, the county welfare agency dies.*

16 SEC. 2. Section 16502.5 is added to the Welfare and
17 Institutions Code, to read:

18 16502.5. (a) Notwithstanding any other provision of law, a
19 county board of supervisors may receive and review any records
20 in the custody of the juvenile court or any other involved county
21 agencies relating to a child who has died and who had previously
22 come to the attention of, or was under the supervision of, the county
23 child welfare ~~agency, when one or more of the following conditions~~
24 ~~is met:~~

25 ~~(1) A county child protective services agency determines that~~
26 ~~the abuse or neglect was substantiated.~~

27 ~~(2) A law enforcement investigation concludes that the child~~
28 ~~had suffered abuse or neglect.~~

29 ~~(3) A medical examiner or coroner concludes that the child had~~
30 ~~suffered abuse or neglect. agency.~~

31 (b) The board may only receive and review the information in
32 closed session. *A board of supervisors in a county with a foster*
33 *care population of more than 10,000 may take formal action to*
34 *permit individual board members' offices to receive and review*
35 *the information for the purpose of determining which cases should*
36 *be brought to the attention of the full board in closed session.*

37 (c) The board or its members may not disclose or release any
38 information obtained pursuant to subdivision (a), unless otherwise

1 permitted by law, and shall be bound by all state and federal
2 confidentiality laws.

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